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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Gerald P. Price; Raymond R. Price	Confirmation No.:	5315
App. No.:	10/762,645		
Filed:	January 20, 2004		
Title:	BLOCK WITH MULTIFACETED BOTTOM SURFACE		
Art Unit:	3671		
Examiner:	G. Hartmann		
Docket No.:	R15-012-06-US		
Customer No:	22,854		

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO RESTRICTION REQUIREMENT

Sir:

The Restriction Requirement mailed October 15, 2004 has been carefully reviewed and considered.

In the restriction/election, the Examiner required Applicant to elect between inventions identified as I and II, with claims 1-4, and 9-14, drawn to a block, classified in class 405, subclass 284, and with claims 5-8 and 15-18, drawn to a block, classified in class 52, subclass 608.

CERTIFICATE OF MAILING			
I hereby certify that the following attached paper or fee is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA. 22313-1450 on the date shown below.			
Typed or printed name	James R. Hakomaki		Date:
Signature	<i>James R. Hakomaki</i>	November 15, 2004	

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The Examiner then asserted that the inventions II and I are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately usable. In the instant case, each of the inventions could be separately usable as retaining wall blocks. See MPEP § 806.05(d)).

Applicant respectfully disagrees with the Examiner's groupings and provisionally elects to pursue patent protection for claims 1-4, and 9-14, which are drawn to a block for constructing a retaining wall. However, this election is made with traverse, whereby Applicant reserves the right to contest the grounds for the election requirement as set forth by the Examiner.

Customer Number

22854

Date November 15, 2004

Respectfully submitted,
For the Applicants
By their Attorneys,

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